

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

# **IN RE: NATIONAL PRESCRIPTION OPIATE LITIGATION**

**MASTER STIPULATION AND [PROPOSED] ORDER  
DISMISSING CLAIMS PURSUANT TO  
LOUISIANA SETTLEMENT AGREEMENTS**

IT IS HEREBY STIPULATED AND AGREED, pursuant to Rule 41(a)(1)(A)(ii), on behalf of counsel of record for the Plaintiff Subdivisions identified in Appendix A<sup>1</sup> (collectively, the “Dismissing Plaintiffs”),<sup>2</sup> who have authorized the filing of this Motion by undersigned counsel with approval of the Louisiana Attorney General, and the following Defendants:

- (a) The “Teva Defendants,”<sup>3</sup> including but not limited to Teva Pharmaceutical Industries Ltd., Teva Pharmaceuticals USA, Inc., Cephalon, Inc., Watson Laboratories, Inc., Actavis LLC, Actavis Pharma, Inc. f/k/a Watson Pharma, Inc., Warner Chilcott Co., LLC, Actavis South Atlantic LLC, Actavis Elizabeth LLC, Actavis Mid Atlantic LLC, Actavis Totowa LLC, Actavis Kadian LLC, Actavis Laboratories UT, Inc. f/k/a Watson Laboratories Inc.-Salt Lake City, Actavis Laboratories FL, Inc. f/k/a Watson Laboratories, Inc.-Florida, Anda, Inc., and Anda Pharmaceuticals, Inc. and each of their current and former corporate parents, direct and indirect subsidiaries, divisions, predecessors, successors, affiliates, joint ventures, assigns, agents and current and former employees, officers and directors

<sup>1</sup> Appendix A hereto includes all contact information for counsel of the Dismissing Plaintiffs.

<sup>2</sup> Each of the Dismissing Plaintiffs has previously executed a Memorandum of Understanding with the State of Louisiana, through its Attorney General, which provides in relevant part that “[t]he Attorney General shall have the ability to release any and all claims” of the Dismissing Plaintiffs against settling entities in the pharmaceutical supply chain for those entities’ alleged role in the opioid epidemic. Local State-Local Government Opioid Litigation Memorandum of Understanding (“MOU”), Section (F)(3), a representative MOU is attached here as Appendix B.

<sup>3</sup> A copy of the Settlement Agreement with the Teva Defendants is attached here as Appendix C.

and any current or former related companies as outlined in the Settlement Agreement entered into on January 18, 2022;

- (b) The “Allergan Defendants,”<sup>4</sup> including Allergan Limited f/k/a Allergan plc f/k/a Actavis plc, Allergan Finance, LLC f/k/a Actavis, Inc. f/k/a Watson Pharmaceuticals, Inc., Allergan Sales, LLC, Allergan USA, Inc., and each of their current and former corporate parents (including but not limited to AbbVie Inc.), direct and indirect subsidiaries, predecessors, successors, affiliates (including but not limited to AbbVie Products, LLC), agents (including, but not limited to, inVentiv Commercial Services, LLC and its affiliates, but only in their capacity as agents of Allergan) and current and former employees, officers and directors and any current or former related companies and the Divested Actavis/Watson Generics Entities as outlined in Exhibit A of the Settlement Agreement entered into on March 12, 2021, or any of their respective affiliates related in any way to the discovery, development, manufacturing, packaging, marketing (including advertising and promotion), labeling, sale, supply, distribution, suspicious order monitoring, use, or abuse of Opioids (including, but not limited to, claims against Abbott Laboratories for which AbbVie Inc. or its affiliates may be liable under an indemnification or contribution theory); and

That all claims of each Dismissing Plaintiff against the Teva Defendants and the Allergan Defendants, are hereby voluntarily **DISMISSED WITH PREJUDICE**, with each party to bear its own costs.

Additionally, it is hereby stipulated and agreed, pursuant to Rule 41(a)(1)(A)(ii), by and among the Louisiana Attorney General, on behalf of counsel for the Plaintiff Subdivisions identified in Appendix A, that claims against the following Defendant:

- (a) The “Endo and Par Defendants” including Endo Health Solutions Inc., Endo Pharmaceuticals Inc., Par Pharmaceutical, Inc., and Par Pharmaceutical Companies, Inc.<sup>5</sup>

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<sup>4</sup> A copy of the Allergan Settlement Agreement is attached hereto as Appendix D.

<sup>5</sup> The Endo Settlement Agreement is between the State of Louisiana on the one hand and Endo Health Solutions Inc. and Endo Pharmaceuticals Inc. on the other, but the Endo Settlement Agreement provides for participation by Dismissing Plaintiffs conditioned on their agreement, among other things, to release and dismiss their claims against all “Releasees,” which include not only Endo Health Solutions Inc. and Endo Pharmaceuticals Inc. but also the other Endo and Par Defendants defined herein (among others). Endo Settlement Agreement attached hereto as Appendix E, §§ A(r), B.1 & B.2. To the extent the parties discover that any Released Claim of any Dismissing Plaintiff remains pending against any Releasee following filing of this stipulation, the parties shall stipulate to the dismissal of those claims in a subsequent filing.

are voluntarily DISMISSED WITHOUT PREJUDICE, with each party to bear its own costs, pending the resolution of the bankruptcy proceeding, *In re Endo International, PLC*, No. 22-22549, Southern District of New York.

Date: September 21, 2023

Respectfully submitted,

/s/ Walter J. Leger, Jr.

**Walter J. Leger, Jr., La. Bar No. 08278 (T.A.)**

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FOR THE LOUISIANA LOCAL GOVERNMENT  
OPIOID ATTORNEYS STEERING COMMITTEE  
AND DESIGNATED BY THE LOUISIANA  
ATTORNEY GENERAL

**AGREED AS TO FORM & SUBSTANCE:**

TEVA	ALLERGAN
<p><u>/s/ Eric W. Sitarchuk</u> Eric W. Sitarchuk Rebecca J. Hillyer MORGAN LEWIS &amp; BOCKIUS LLP 1701 Market Street Philadelphia, PA 19103-2921 <a href="mailto:eric.sitarchuk@morganlewis.com">eric.sitarchuk@morganlewis.com</a> <a href="mailto:rebecca.hillyer@morganlewis.com">rebecca.hillyer@morganlewis.com</a> (215) 963-5000 <i>Attorneys for the Teva Defendants</i></p>	<p><u>/s/ Donna M. Welch</u> Donna M. Welch KIRKLAND &amp; ELLIS LLP 300 North LaSalle Chicago, IL 60654 United States Telephone: +1 312 862 2000 Facsimile: +1 312 862 2200 <a href="mailto:dwelch@kirkland.com">dwelch@kirkland.com</a></p>

	<i>Counsel for Allergan Limited, Allergan Finance, LLC, Allergan Sales, LLC, and Allergan USA, Inc.</i>
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SO ORDERED this \_\_\_ day of \_\_\_, 2023.

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Hon. Dan Aaron Polster  
United States District Judge

**CERTIFICATE OF SERVICE**

I hereby certify that on September 21, 2023, the above and foregoing pleading was electronically filed with the Clerk of Court of the United States District Court for the Northern District of Ohio by using the CM/ECF System. Notice of this filing will be sent to all counsel of record registered to receive electronic service by operation of the court's electronic filing system.

/s/ Walter J. Leger, Jr.